

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICKIE M. FOSTER,

Defendant.

Case No. 18-CR-182-1-JPS

ORDER

On September 18, 2018, the government filed a fifteen-count Indictment in this case, charging the defendant in eleven counts for violations of 18 U.S.C. §§ 1951 and 924(c). (Docket #16). On November 27, 2019, the parties filed a plea agreement indicating that the defendant agreed to plead guilty to Counts Two, Four, Six, Seven, Eight, Nine, Ten, and Eleven of the Indictment. (Docket #89). The government agreed to move to dismiss the remaining counts as to this defendant at sentencing. *Id.* at 6.

The parties appeared before Magistrate Judge Nancy Joseph on December 12, 2019, to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #96). The defendant entered a plea of guilty as to Counts Two, Four, Six, Seven, Eight, Nine, Ten, and Eleven of the Indictment. *Id.* After cautioning and examining the defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Judge Joseph determined that the guilty plea was knowing and voluntary, and that the offenses charged were supported by independent factual bases containing each of the essential elements of the offenses. (Docket #96 and #97).

Thereafter, Magistrate Judge Joseph filed a Report and Recommendation with this Court, recommending that: (1) the defendant's plea of guilty be accepted; (2) a presentence investigation report be prepared; and (3) the defendant be adjudicated guilty and have a sentence imposed accordingly. (Docket #97). Pursuant to General L. R. 72(c) (E.D. Wis.), 28 U.S.C. § 636(b)(1)(B), and Federal Rules of Criminal Procedure 59(b) or 72(b) if applicable, the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation.

To date, no party has filed such an objection.

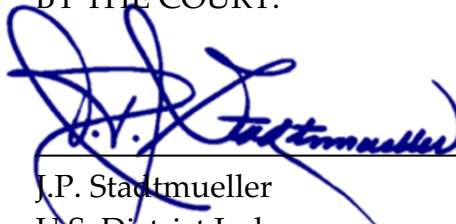
The Court has considered Magistrate Judge Joseph's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge Nancy Joseph's report and recommendation (Docket #97) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 30th day of December, 2019.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge